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PATENT  
DEPARTMENT OF COMMERCE

RCE

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/856,022
Filing Date	May 16, 2001
First Named Inventor	Guy Barre
Group Art Unit	1764
Examiner Name	Walter Dean Giffin
Attorney Docket Number	TS5549

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted
  - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ☐ Other \_\_\_\_\_
- ☒ Enclosed
  - ☒ Amendment/Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- ☐ suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1800.
  - ☒ RCE fee required under 37 C.F.R. § 1.17(e)
  - ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - ☐ Other \_\_\_\_\_
- ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- ☐ Payment by credit card (Form PTO-2038 enclosed)

## **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Charles W. Stewart	Registration No. (Attorney/Agent)	34,023
Signature	<i>Charles W. Stewart</i>	Date	19 January 2005

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commission For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Charles W. Stewart	Date	19 January 2005
Signature	<i>Charles W. Stewart</i>		

PTO/SB/30 (08-00)

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